

## Handout D: Case Briefing Sheet

**Directions:** Use the chart below to help you prepare to try the case of Mr. Milligan.

### Who are you? (circle one)

Attorney for Mr. Milligan  
(arguing NO)

Attorney for the U.S.  
(arguing YES)

Supreme Court Justice  
(deciding the case)

### Constitutional Question

Even though Congress authorized the President to suspend *habeas corpus* with the passage of the *Habeas Corpus Act* in 1863, did the President have the power to hold Mr. Milligan and try him a military court?

Document/Event	Does this support my case? Why or why not?
Article I, Section 8 and 9	
Article II, Section 2	
Article II, Section 3	
The Sixth Amendment	
Other information: <i>e.g. history, precedent</i>	